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February 26, 2021

**VIA ECF**

Honorable Edgardo Ramos  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

USDC SDNY  
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**MEMO ENDORSED**

**Re: United States v. Jon Barry Thompson  
19 Cr. 698 (ER) (S.D.N.Y.)**

Honorable Judge Ramos:

We write on behalf of defendant Jon Barry Thompson in the above-captioned matter to respectfully request that the Court authorize Mr. Thompson to take out a personal loan from a business partner, the proceeds of which will be used to pay Mr. Thompson's civil attorneys' fees in related civil litigation and arbitration proceedings. Mr. Thompson's Probation Officer and the Government do not oppose this request, but have asked that it be submitted for the Court's approval under the terms of Mr. Thompson's supervised release.

As mentioned in Mr. Thompson's sentencing submission and Presentence Investigation Report, and as discussed during Mr. Thompson's sentencing hearing, Mr. Thompson is a party to a number of civil litigations and arbitrations that have been stayed pending this criminal proceeding. Now that sentencing in this matter has concluded, the stays in those matters will soon be lifted. In addition, as discussed in connection with Mr. Thompson's sentencing, Mr. Thompson has secured a civil judgment in California state court that he wishes to enforce and use the proceeds of any recovery to make restitution payments for some of the losses at issue in this matter.

In light of Mr. Thompson's present financial situation, he is unable to pay for civil attorneys out of his own funds. A business partner of Mr. Thompson's has offered to make a loan to Mr. Thompson to pay for civil attorneys' fees. Absent this loan, Mr. Thompson will be unable to secure representation and will likely default and ultimately incur additional liabilities larger than the proposed loan amount itself. Mr. Thompson would also be unable to enforce the civil judgment he has already secured. These factors could impact the potential restitution provided to the victims in this action and the parallel CFTC matter.

As a condition of Mr. Thompson's supervised release, Mr. Thompson is not to incur any new lines of credit without approval of his Probation Officer. While Mr. Thompson's Probation Officer does not object to Mr. Thompson's request, Probation and the Government have asked that this request be made to the Court directly for approval.

Hon. Edgardo Ramos, U.S.D.J.  
Southern District of New York

*U.S. v. Thompson*, No. 19 Cr. 698 (ER)

Separately, we respectfully request that the Court issue an amended judgment in this case. During Mr. Thompson's sentencing, the Court suspended the mandatory drug testing condition of Mr. Thompson's supervised release (Sent. Tr. 32:14–16), but the judgment entered on the docket does not reflect this condition being suspended (Doc. 51 at 3). The undersigned has been in contact with Your Honor's chambers and understands an amended judgment is forthcoming.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Peggy Cross-Goldenberg

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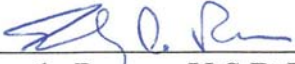
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cc (via ECF): AUSA Drew Skinner, Esq.  
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Mr. Thompson's applications to take out a personal loan and for an amended judgment are GRANTED.

SO ORDERED.

  
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Edgardo Ramos, U.S.D.J  
Dated: 3/2/2021  
New York, New York